

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Gregory Adam Engeseth, Jayne Ilene Bartholdi, and Michael David Ferris, individually, and on behalf of all others similarly situated,

Civil No: 06-CV-2410 (MJD/RLE)

Plaintiff,

VS.

The County of Isanti, Minnesota,

Defendant.

**AFFIDAVIT OF
VINCENT J. MOCCIO
IN RESPONSE TO ORDER
TO SHOW CAUSE**

STATE OF MINNESOTA)
) ss.
COUNTY OF HENNEPIN)

I, Vincent J. Moccio, being first duly sworn on oath, depose and state that:

1. I am a partner in the law firm of Robins, Kaplan, Miller & Ciresi L.L.P., and I am Class Counsel in this matter.
2. I make this affidavit in response to this Court's Order to Show Cause.
3. Upon receiving this Court's Order I immediately brought it to the attention of my firm's Chair of Professional Responsibility. He has directed me to communicate to all lawyers in our firm informing them of this situation, and impressing upon them the importance of making sure that all filings comply with Rule 5.2 and that no personal information is publicly filed.

4. The list of class compensation recipients that was filed by me on August 7, 2009, was a list containing information necessary to provide those recipients with IRS form 1099s. In compiling the list to be filed, information existing in our database to be used in connection with preparing 1099s was inadvertently included. This list should not have been filed. It was my error in filing this list, rather than a list that did not contain personal information. I did not intend on violating any rule and I am sincerely sorry for any issues that this filing has created.

5. Myself and my firm propose to take the following steps to mitigate the situation. Within 48 hours of this Court's direction, I will send each person who appeared on the list a letter informing them that their personal information was inadvertently made public, and informing them that they will receive the following services free of charge unless they specifically direct us, within seven days, that they do not wish to receive them:

- a. Fico Standard services, as described in Exhibit A, which includes a choice of credit reports; and
- b. A twelve-month subscription to FICO Quarterly Monitoring, as described in Exhibit B.

6. Total cost of these services is estimated to be approximately \$12,000.

7. Again, I apologize to this Court and its staff for the inconvenience caused and will apologize to my clients for this error. It is my hope that Your Honor will see the seriousness with which my firm and I have addressed this situation.

FURTHER YOUR AFFIANT SAYETH NAUGHT.

/s/ Vincent J. Moccio
Vincent J. Moccio (#184640)

Subscribed and sworn to before me
this 9th day of October, 2009.

/s/ Renee Orme
Notary Public
My Commission Expires: 01/31/2010

EXHIBIT A

Help Topics:

FICO Scores & Credit Reports

Mortgages

Credit Cards

Debt Management

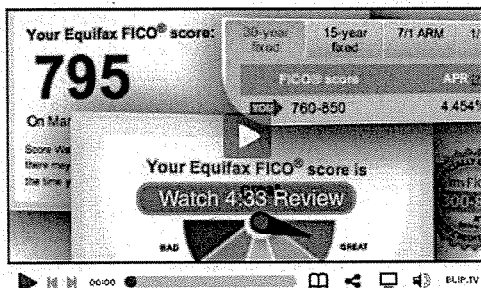
Auto Loans

Student Loans

More...

Home Products FICO® Standard

FICO® Standard



See other product reviews at VideoCreditScore.com

FICO Standard lets you choose individual FICO® credit scores and credit reports from TransUnion and Equifax.

Instant Online Access

Price: \$15.95

Buy Now

Features:

FICO® Score*

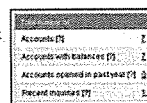
Get your FICO® scores from your choice of Equifax or TransUnion. Each comes with a full explanation of the credit score and how lenders view you. Also includes an explanation of the positive and negative factors affecting your score.



Your FICO® Score

Credit Report*

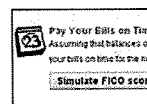
Get your credit reports from your choice of Equifax or TransUnion. Each credit report is a detailed snapshot of credit cards and loans opened in your name, companies accessing your credit file, delinquent payments and more.



Your Credit Report

FICO® Score Simulator

This simulator analyzes your personal credit information and answers questions such as, "What happens to my FICO® score if I pay off a credit card or open a new account?"



FICO® Score Simulator

Why You Should Consider Purchasing Both of Your Scores Now

Your FICO® scores often vary from bureau to bureau – this fluctuation could be the difference between a low interest rate and a high one. Differences may be caused by errors in one or more of your credit reports; errors you may be able to correct.

If you're planning a major purchase, like a home or car, it's a good practice to check both of your scores and negotiate the best rate. For example, a 50-point score variance could cost you more than \$200/month in mortgage payments.

*About FICO® scores and credit reports

FICO® scores are the credit scores most lenders use to determine your credit risk. You have three FICO® scores, one for each of the three credit bureaus – Experian, TransUnion, and Equifax. Each FICO® score is based on the information that each credit bureau keeps on file about you. As the information in each of your credit reports change, your credit scores tend to change as well. When you purchase your FICO® scores and credit reports, you are getting a snapshot that is accurate at the time of your purchase. However, it's important to note that as the information in your credit reports changes, your FICO® scores can also change. That's why we recommend checking your FICO® scores and credit reports regularly - at least once a year.

Details:

FICO® Credit Scores

- Your choice of FICO® scores and credit reports from Equifax or TransUnion
- Each FICO® credit score and credit report costs \$15.95
- Includes an explanation of factors affecting your FICO® scores

Credit Reports

Each credit report lists your:

- Credit accounts, including all credit cards, auto loans, student loans, and mortgages in your name, including:
 - Creditor and account number
 - Balance
 - Date opened
 - Payment history
 - Current status, such as "OK", "Closed by customer", "30 days late payment", etc.

FICO® Score Tools

- The FICO® Score Simulator shows how your FICO® credit score from TransUnion or Equifax can change when you:
 - Pay your bills on time for many months
 - Miss a payment
 - Pay down your debt balances right away or every month
 - "Max out" your credit cards
 - Get a new mortgage
 - Get a new auto loan
 - Get a new credit card
 - Get instant credit at a department store
 - Apply for a new credit card and transfer balances to it
 - Declare bankruptcy

Other

EXHIBIT B



FICO® Quarterly Monitoring tracks your TransUnion FICO® score and credit report providing you with the peace of mind that comes from knowing what's going on with your credit.

Two options for instant online access

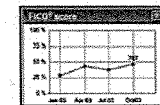
- **Pay monthly – \$4.95 per month**
(12 monthly payments of \$4.95)
- **Pay yearly – \$49.95 per year**
(1 annual payment of \$49.95)

[Subscribe Now](#)

FICO® Quarterly Monitoring Features:

Keep track of your TransUnion credit report and FICO® score

We'll automatically pull your report and score quarterly so you'll continually know what's happening with your credit. This is a great way to keep tabs on your credit throughout the course of a year.



FICO® score tracking sample

See why your FICO® score matters

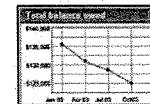
With each of your 4 TransUnion FICO® scores you will continue to see how your score ranks and what types of rates you might qualify for. You'll also receive an explanation of the positive and negative factors affecting your score.



FICO® score and credit report reviews sample

Compare your credit reports quarterly

We'll continually track key elements of your credit and show you how they differ from quarter to quarter. Tracking essential components of your credit such as "problem accounts" or the "total balances owed on your accounts" can help you spot the trends in your credit profile which may be affecting your FICO® score.



Credit report comparison sample

Identity Theft Insurance

Your subscription to FICO® Quarterly Monitoring also includes identity theft insurance that includes resolution assistance in the event you become a victim of identity theft. Plus, you'll receive identity theft insurance coverage up to \$25,000 from St. Paul Travelers*.

- Toll-free help line – Identity theft specialists will provide you with an identity theft victim kit that will guide you in filing a police report and a complaint with the Federal Trade Commission, as well as placing a "fraud alert" on all three of your credit reports to help prevent further damage to your credit.
- Insurance policy – If identity theft strikes, you are covered under a \$25,000, no-deductible identity theft insurance policy from St. Paul Travelers* at no additional cost to you. See an Identity Theft Insurance sample summary of benefits for additional information and limitations.



Identity Theft Insurance sample

Details:

Credit Monitoring

- Quarterly FICO® credit score and report monitoring
- Weekly monitoring of 400 data sources for new information tied to your identity, including:
 - New names
 - New dates of birth
 - New social security numbers
 - New addresses
 - New phone numbers
- Quarterly TransUnion credit report analysis, monitoring:
 - Changes to your TransUnion FICO® score, and reasons for changes
 - Changes to name, date of birth, or social security number
 - Newly listed addresses or phone numbers

Alerting and Reporting

- E-mail alerts when changes in public information are detected
- Archive of past alerts
- Checklist to help you review your credit report for signs of ID theft
- Option to receive weekly E-mail updates whether changes are detected or not
- Simple and easy-to-use
- Secure, instant online access
- Alerts interpretation guide

Identity Theft Insurance

- 9-hour, 5-day-a-week, toll-free helpline attended by knowledgeable staff who can provide you with the tools to help you resolve ID theft
- Up to \$25,000 identity theft insurance policy at no additional cost:*
 - No deductible

- Balance past due on all accounts
- Number of recent applications for credit
- Number of negative problems on credit report
- Number of accounts in bad status
- 20% discount on optional purchase of additional FICO® scores and TransUnion credit reports included
- Cancel your subscription any time

* Insurance coverage underwritten by Travelers Casualty and Surety Company of America and its property casualty affiliates, Hartford, CT 06183. Coverage for all claims or losses depends on actual policy provisions. Availability of coverage can depend on our underwriting qualifications and state regulations.

Products & Services	Financial Help Center	Education	Community	Your Account
Score Watch®	FICO Scores & Credit Reports	About FICO Scores	General Credit Issues	Customer Support
Suze Orman's FICO® Kit Platinum	Mortgages	What's in Your FICO Score	Credit Cards	Contact Us
FICO® Standard	Credit Cards	About Credit Reports	Mortgage Loans	About myFICO
FICO® Quarterly Monitoring	Debt Management	What's in Your Report	Understanding FICO Scoring	Affiliate Program
Mortgage Relief Online	Auto Loans	Credit Inquiries		Partner Programs
Get a Loan	Student Loans	Credit Stats		Terms of Use
Get a Credit Card	More...	Brochures		Privacy Policy
Dispute Credit Report Mistakes		Free Email Newsletter		

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